

California Department of Insurance

Fraud Division

April 2010 Workers' Compensation Fraud Convictions

Effective January 01, 2005, Assembly Bill 2866 (Frommer) enacted Insurance Code Section 1871.9 requiring the posting of all workers' compensation fraud convictions to the CDI website.

Per section 1871.9, the department shall post all of the following information on its Internet Web site for each person, as defined in Section 19, convicted of a violation of this article (1871.4), Section 11760 or 11880, Section 3700.5 of the Labor Code or Section 487 or 550 of the Penal Code, if the violation involved workers' compensation insurance, services or benefits:

- The name, case number, county or court and other identifying information with respect to the case.
- The full name of the defendant.
- The city and county of the defendant's last known residence or business address.
- The date of conviction.
- A description of the offense.
- The amount of money alleged to have been defrauded.
- A description of the punishment imposed, including the length of any sentence of imprisonment and the amount of any fine imposed.

The information required to be posted under this section shall be maintained on the department Web site for a period of five years from the date of conviction or until the department is notified in writing by the person that the conviction has been reversed or expunged.

Note: If new documentation has been received that in any way affects the conviction information contained herein, please forward that documentation with an explanation to:

Bureau Chief, Workers' Compensation Program
9342 Tech Center Drive, Suite 100
Sacramento, CA 95826

A determination to make any changes will be made within sixty (60) days of receipt of the information.

April 2010 Workers' Compensation Fraud Convictions

Case Number: F10900872

CDI Number: 09FW011852

County: Fresno

Defendant: Julio Cruz-Diaz

City/County of Residence: Fresno/Fresno

Conviction Date: 04/27/10

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

Amount Allegedly Defrauded: \$4,756.41

Sentence: 180 Days County Jail, 2 Years Formal Probation, \$4,756.41 Restitution, \$200 Civil Fine

CDI Case Name: Bretano House

CDI Case Number: 09BW019658

County: Marin

Defendant: Christopher Fries

City/County of Residence: San Rafael/Marin

Conviction Date: 04/01/10

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 14 Days County Jail, 100 Hours Community Service, 3 Years Probation, TBD Restitution, \$500 Civil Fine, \$10,000 Criminal Fine (\$5,000 Stayed)

Case Number: 09M10648

County: Sacramento

Defendant: Jeff Han

City/County of Residence: El Dorado Hills/El Dorado

Conviction Date: 04/13/10

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 3 Years Informal Probation, \$100 Civil Fine, \$10,000 (\$9,625 Suspended)

CDI Case Name: Elis Tellos Welding Supplies

CDI Case Number: 10GW005499

County: Monterey

Defendant: Albert Magdaleno

City/County of Residence: Greenfield/Monterey

Conviction Date: 04/13/10

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 1 Day County Jail, 3 Years Conditional Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$9,160 suspended)

CDI Case Name: McCleaners
CDI Case Number: 09HW008886
County: San Bernardino
Defendant: Dung Van Nguyen
City/County of Residence: Highland/San Bernardino
Conviction Date: 04/29/10
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 36 Months Conditional Probation, \$10,000 Criminal Fine (\$5,000 Suspended pending successful completion of Probation)

Case Number: 10F01099
County: Sacramento
Defendant: Wayne L. Rabourn
City/County of Residence: Not available at this time
Conviction Date: 04/13/10
Offense: 2 Counts of PC 550(a)(8) (Knowingly Present Multiple Claims for Payment of the Same Health Care Benefits With Intent to Defraud)
Amount Allegedly Defrauded: \$120,450
Sentence: 240 Days County Jail, 5 Years Formal Probation, \$120,450 Restitution

Case Number: BA354812
County: Los Angeles
Defendant: Ramon Rodriguez
City/County of Residence: Not available at this time
Conviction Date: 04/16/10
Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor)
Amount Allegedly Defrauded: \$1,500
Sentence: 6 Days County Jail, 2 Years Summary Probation, \$1,500 Restitution, \$100 Civil Fine

CDI Case Number: 05AW008661
County: Sacramento
Defendant: Dolinda Rae Temple
City/County of Residence: Orangevale/Sacramento
Conviction Date: 04/13/10
Offense: 1 Count of IC 11880(a) (Premium Fraud) (Misdemeanor); 1 Count of IC 11760(a) (Premium Fraud (Private Carrier)) (Misdemeanor)
Amount Allegedly Defrauded: \$264,932.50
Sentence: 120 Days County Jail, 3 Years Informal Probation, \$264,932.50 Restitution, \$100 Civil Fine

Case Number: BA369817
County: Los Angeles
Defendant: Eddie Wilson
City/County of Residence: Not available at this time
Conviction Date: 04/27/10
Offense: 1 Count of PC 550(b)(2) (False Statement)
Amount Allegedly Defrauded: \$18,319.71
Sentence: 29 Days County Jail, 100 Hours Community Service, 3 Years Formal Probation, \$18,319.71 Restitution, \$200 Civil Fine